

REMARKS

Claims 4, 7-9 and 11-22 are pending. By this Amendment, allowable claims 4, 9 and 13 have been amended into independent form and all of the rejected claims, claims 1, 3, 5, 6 and 23, have been cancelled.

Applicant gratefully acknowledges the indication that claims 4, 7-9, 13, and 14 are allowable and claims 11, 12, and 15-22 are allowed in the August 31, 2006 Final Rejection.

Applicant respectfully requests entry of the Amendment without the RCE fee. As stated in MPEP §1214.07, right column of page 1200-61, "If the amendment obviously places an application in condition for allowance, regardless of whether the amendment is filed with an RCE, the primary examiner should recommend that the amendment be entered" (emphasis added).

The amendments obviously place the application in condition for allowance because Applicant simply cancels all of the rejected claims and places the allowable dependent claims into independent form. In particular:

(1) Applicant cancels all of the rejected claims, claims 1, 3, 5, 6 and 23;

(2) allowable dependent claim 4 was amended into independent form by incorporating all of the features of independent claim 1 (claim 4 depended directly from claim 1);

(3) allowable dependent claim 9 was amended into independent form by incorporating all of the features of independent claim 1 and dependent claim 6 (claim 9 depended directly from claim 6, and claim 6 depended directly from claim 1); and

(4) allowable dependent claim 13 was amended into independent form by incorporating all of the features of independent claim 1 (claim 13 depended directly from claim 1); and

(5) all of the remaining claims have either been allowed or depend from an allowable claim.

The Final Rejection rejects claim 10 under 35 U.S.C. §102(e) over U.S. Patent No. 6,454,390 to Takahashi et al. (Takahashi). As claim 10 was canceled in the January 3, 2007 Amendment, the rejection is moot.

The Final Rejection rejects claims 1, 3, 5, 6 and 23 under 35 U.S.C. §103(a) over Takahashi in view of U.S. Patent No. 6,215,562 to Michel et al. (Michel). As claims 1, 3, 5, 6, and 23 are cancelled by this amendment, the rejection is moot.

In view of at least the foregoing, Applicant respectfully submits that this application is in condition for allowance. Applicant earnestly solicits favorable reconsideration and prompt allowance of the pending claims.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, Applicant invites the Examiner to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

COURTESY COPY

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Attachment:
Request for Continued Examination

Date: January 26, 2009

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10/625,778 Ink jet printer in which a best test pattern printed in a recording medium 02-02-2009::14:28:37
is automatically selected

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Bibliographic Data

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